

MANDATE

N.D.N.Y.
16-cv-992
Suddaby, C.J.

United States Court of Appeals
FOR THE
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 20th day of November, two thousand twenty.

Present:

Debra Ann Livingston,
Chief Judge,
Amalya L. Kearse,
Richard C. Wesley,
Circuit Judges.

Khari Devon Coley,

Petitioner-Appellant,

v.

20-600

Superintendent,

Respondent-Appellee,

State of New York,

Respondent.

Appellant, pro se, moves to proceed in forma pauperis and for a certificate of appealability. However, this Court has determined sua sponte that the notice of appeal was untimely filed. Upon due consideration, it is hereby ORDERED that the appeal is DISMISSED for lack of jurisdiction. See 28 U.S.C. § 2107; *Bowles v. Russell*, 551 U.S. 205, 214 (2007). It is further ORDERED that Appellant's motions are DENIED as moot.

A True Copy

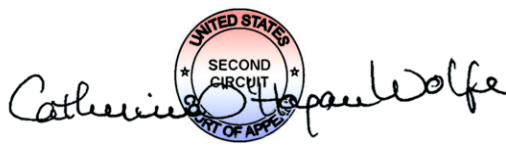
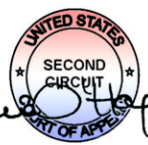
Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit

FOR THE COURT:

Catherine O'Hagan Wolfe, Clerk of Court

MANDATE ISSUED ON 12/28/2020